

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

NOVEMBER 5, 2015; 7:00 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN, TOM
DAY, JORY FRANCIS, SCOTT FREITAG AND JOY
PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, TERRY COBURN AND THIEDA
WELLMAN**

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Stevenson opened the meeting and led the Pledge of Allegiance. Ja Eggett gave the invocation. Scouts and students were welcomed.

MINUTES:

MOTION: Councilmember Freitag moved and Councilmember Francis seconded to approve the minutes of:

**Layton City Council Work Meeting – August 6, 2015;
Layton City Council Meeting – August 6, 2015;
Layton City Council Meeting – August 18, 2015;
Layton City Council Strategic Planning Work Meeting – August 27, 2015; and
Layton City Council Work Meeting – September 17, 2015.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that the Family Recreation activity for November was the Thanksgiving Turkey Bowl. She said the cost was \$3.50 per person for one hour of bowling. Participants needed to reserve a lane now. The event would be held November 21st.

Councilmember Brown said Veterans Day was November 11th. She said a program would be held at 11:00 a.m. at the Central Davis Jr. High gymnasium.

Councilmember Francis indicated that 24/7 Wall Street had ranked Layton #10 on the list of America's best cities to live.

Mayor Stevenson said everyone should be proud of the recognition.

Councilmember Petro said the Davis Arts Council had been providing plays for seniors. She said Friday, November 6th was the last ones in Layton. There would be two plays that day; one at 11:00 a.m. at the Pheasant View Care Center and one at 1:30 p.m. at Fairfield Village.

Mayor Stevenson said the City had been working in the community on an interfaith council. He said their first event would be a Christmas concert on November 22nd at 6:30 p.m. at the Layton High auditorium.

Councilmember Petro indicated that David Archuletta would be doing the Davis Arts Council Christmas concert this year. She said it would be held at Layton High. Tickets would go on sale on November 17th. During the regular season those tickets sold out in one hour.

CITIZEN COMMENTS:

Ja Eggett, 1548 East 2050 North, expressed appreciation for the opportunity of going through the recent election process. He congratulated Councilmember Freitag and Councilmember Brown on their successful bid for reelection.

Mayor Stevenson thanked Mr. Eggett. He said this had been a good process with 8 good people running for office.

CONSENT AGENDA:

Mayor Stevenson indicated that Item B, the preliminary plat approval for the Shepherd's Ridge Subdivision, would be voted on separately.

ANNEXATION REQUEST – RLS INVESTMENT PROPERTIES, INC./ALPINE HOMES – ACCEPTANCE AND CERTIFICATION OF THE PETITION – APPROXIMATELY 450 SOUTH ANGEL STREET – RESOLUTIONS 15-52 AND 15-53

Bill Wright, Community and Economic Development Director, said for the Council's consideration this evening were two resolutions; Resolution 15-52 would accept the annexation petition and Resolution 15-53 would accept the City Recorder's certification of the annexation. He said the annexation petition was from RLS Investment Properties in association with Alpine Homes for property located at approximately 450 South Angel Street. He displayed a map and identified the property.

Bill said the annexation area included approximately 18.41 acres and was located west of Angel Street, directly north of the Pheasant Place Subdivision. He said RLS Investment Properties owned 17.41 acres of the annexation area; Teresa and Matthew Green owned the remaining property and had not signed the annexation petition, but they indicated that they would not protest the annexation.

Bill said the property was within the City's Annexation Policy Plan and the City could provide services to the property. He said the General Plan recognized that the property should be used for low density residential uses. If approved tonight, Staff would proceed with required noticing of the annexation and the 30 day protest period would begin. Final approval of the annexation would be considered at a future meeting. The developer planned to develop a single family residential subdivision on the property. Bill said Staff recommended approval. He indicated that a letter was included in the packet from the City Recorder certifying that the annexation met the statutory requirements of State Code.

Mayor Stevenson said there were some concerns floating around about what would develop on the property. He said all of the details regarding development would follow at a later date; this was just annexation of the property.

Councilmember Brown said in the earlier Work Meeting it was mentioned that there were some concerns from residents that backed onto this property who had been told by a developer that this property would always stay an undeveloped field.

Bill said there was a tree farm on the property and based on some comments that had been made the residents thought that it would always remain a tree farm.

Councilmember Brown said if those residents had asked the City, the City would have told them that the property was slated for residential development in the General Plan.

Bill said that was correct. He said within the Pheasant Place Subdivision there were two stub streets that provided access to this property for that purpose.

PRELIMINARY PLAT – SHEPHERD’S RIDGE SUBDIVISION – APPROXIMATELY 2450 NORTH CHURCH STREET

Bill Wright said this was preliminary plat approval for the Shepherd’s Ridge Subdivision located at approximately 2450 North Church Street. The preliminary plat was before the Council because there were some sensitive lands issues with the property. Bill said the applicant was Elk Valley Construction and the proposal was to develop 12 lots on 13.42 acres. He said these would be large deep lots. He said this would finish development on the east side of Church Street.

Bill said during the Planning Commission review there was a lot of discussion about geotechnical issues on the property. He said the property had been studied by two geotechnical firms who determined that the setback line on the property was appropriate to mitigate those issues. Bill said there were also concerns with surface water on the lots and impact to the stability of the slope. He said all of the lots would include land drains that would direct the water out to Church Street. Bill said there was also some study about irrigation water for people that lived in the area. He said there were some statements that would be placed on the final plat that would place notice about the importance of irrigating the land responsibly. Bill said there were some comparisons done from irrigation that was provided during its farming days, and a comparison to what it would be as developed property of single family homes. He said those two issues had been resolved since the conceptual plan.

Bill said there was extensive discussion about how public utilities were going to be provided to the frontage properties along Church Street. The City overlaid Church Street not too long ago; as that was done the City placed a three-year moratorium for not cutting the street. There was an option for cutting the street for utility connections, but it was rather expensive to resurface a wide part of the street. Because of that, the applicant had earlier proposed that utility lines be placed on the back side of the sidewalk in a private utility easement. Those would be private utilities requiring an HOA for maintenance. Bill said there was quite a discussion about the advantages and disadvantages of doing that.

Bill said on October 28, 2015, the applicant resubmitted plans to the Engineering Division indicating that they had instructed their engineers to design all of the public utilities to be located within the public right of way of the street. He said those utilities would ultimately be maintained by the City after dedication. With that change there was no need for an HOA to be required by the City; they may choose to establish an HOA for architectural control or other reasons, but the City would not have any need to require an HOA, which was another element of earlier concerns.

Bill said with those changes, Staff felt that the issues were resolved. It was appropriate for the Council to make those two items as part of their motion of approval, which would include that all public utilities would be placed in the right of way of Church Street and that an HOA would not be required by the City. He said the Planning Commission recommended approval and Staff supported that recommendation. Bill said as a reminder, this would come back to the Planning Commission and Council for final plat approval.

BID AWARD – ASSOCIATED BRIGHAM CONTRACTORS, INC. – HILL FIELD ROAD WATER LINE REPLACEMENT – HILL FIELD ROAD BETWEEN 1225 NORTH AND HIGHWAY 193 – RESOLUTION 15-58

Terry Coburn, Public Works Director, said Resolution 15-58 authorized the execution of an agreement with Associated Brigham Contractors, Inc. for the Hill Field Road water line replacement project. The project included construction of approximately 6,144 lineal feet of 8-inch and 1,567 lineal feet of 12-inch water main piping, and all associated items for a fully functioning system. The project would replace the deteriorating water lines along Hill Field Road between 1225 North and Highway 193, prior to the upcoming UDOT concrete pavement project. Five bids were received with Associated Brigham Contractors submitting the lowest responsive, responsible bid of \$1,057,853.20; the engineer’s estimate was \$830,000. Staff recommended approval.

Councilmember Freitag said as reported in the earlier meeting, UDOT had received federal funding for replacement of that portion of Hill Field Road with concrete. Because of that, it put the City in a precarious position of finding money to replace the waterlines this year because once the concrete was in place, it would be very expensive to replace or repair the waterlines. The good news was that the City had the money to pay for the project; the bad news was that some other projects would have to be delayed. Councilmember Freitag said the other unfortunate part of it was that there would be more construction on Hill Field Road.

BID AWARD – TWIN D INC. – 2015 CLEANING AND TELEVISIONING OF SANITARY SEWER LINES – RESOLUTION 15-59

Terry Coburn said Resolution 15-59 authorized the execution of an agreement for the cleaning and televising of approximately 142,000 lineal feet of sanitary sewer mains varying in size from 6 to 15 inches, located throughout the City. This was an ongoing project to help improve the condition of the sanitary sewer system and evaluate where any additional repairs were needed. Three bids were received with Twin “D” Inc. submitting the lowest responsive, responsible bid in the amount of \$98,855.74; the engineer’s estimate was \$125,000. Staff recommended approval.

Mayor Stevenson asked if Staff thought there would be any problems that would require relining of pipes.

Terry said this program had been in place for many years to stay current with URMMA requirements. He said occasionally they would find mainlines that had settled. Each year there would be repair projects that were a result of this project.

BETTERMENT AGREEMENT WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) – NEW TRAFFIC SIGNAL AT HIGHWAY 193 AND GREYHAWK DRIVE – RESOLUTION 15-60

Terry Coburn said Resolution 15-60 authorized the execution of an agreement with UDOT for a betterment agreement for a new traffic signal at Highway 193 and Greyhawk Drive. UDOT would advertise and administer construction of the work. The costs shown in the agreement encompassed the additional work associated with the project. The City would, at no cost to UDOT and the project, provide on-call support to correct or clarify issues during construction and perform the necessary inspection of the work installed. UDOT would install a new traffic signal at Highway 193 and Greyhawk Drive. Total reimbursement to UDOT by Layton City for these betterment items would be \$3,815.40. This was preemption for the Fire Department on the traffic signals. Terry said Staff recommended approval.

Mayor Stevenson asked when the signal would be operational.

Terry said he understood that they would start this week.

Councilmember Freitag said as mentioned in the earlier Work Meeting, this would be the new access road to the land fill.

STREET AND CULINARY WATER IMPROVEMENTS PAYBACK AGREEMENT WITH WAYNE S. JOHNSON – RESOLUTION 15-57

Terry Coburn said Resolution 15-57 was a street and culinary water improvement payback agreement with Wayne S. Johnson. He said the developer, Mr. Johnson, had constructed street and culinary water improvements at his own expense in conjunction with the Crimson Corners Subdivision, Phase 5, on 3650 West. The improvements exceeded the typical residential street cross section. Land other than that owned by the developer would benefit from installation of the improvements. The improvements would be publicly owned and maintained by the City. The City desired to reimburse the developer for the costs of the street and culinary water improvements not directly associated with his property. Staff recommended approval.

WILLOW RIDGE STREET IMPROVEMENT EXCHANGE AGREEMENT WITH NILSON HOMES, INC. – 3500 WEST AND WEST HILL FIELD ROAD – RESOLUTION 15-39

Terry Coburn said Resolution 15-39 was the Willow Ridge Subdivision street exchange agreement between G Eleven LLC and Layton City. The Willow Ridge Subdivision, Phases 1, 2 and 3, located at approximately 3500 West and West Hill Field Road was in the process of approval and development. The developer, as part of the subdivision improvements, would install street improvements along West Hill Field Road. The improvements would include the oversizing and total road width, including asphalt, roadbase and subgrade. The developer would install public utilities, and install and maintain fencing and landscaping required for the development for all 3 phases of the subdivision along West Hill Field Road and Bluff Ridge Boulevard according to City standards. The developer would dedicate right of way to the City for West Hill Field Road and Bluff Ridge Boulevard. The City desired to provide reimbursement to the developer for the costs of the street improvements that exceed the developer’s proportionate share of impact costs attributable to their subdivision. The developer desired to exchange land for street improvements for Phase 3 for West Hill Field Road and Bluff Ridge Boulevard. Staff recommended approval.

MOTION: Councilmember Brown moved to approve Item B of the Consent Agenda, the preliminary plat approval for Shepherd’s Ridge Subdivision, including that all public utilities; water, sewer and land drain; would be in the public right of way and that the City would not require an HOA. Councilmember Freitag seconded the motion, which passed unanimously.

MOTION: Councilmember Freitag moved to approve Items A, C, D, E, F and G, of the Consent Agenda as presented. Councilmember Francis seconded the motion, which passed unanimously.

Councilmember Freitag expressed appreciation to Ja Eggett for his earlier comments; it was a class act.

Councilmember Day passed on thanks to Alex Jensen, City Manager, from Mr. Jeff Lewandoski for the quick response in addressing his concerns.

The meeting adjourned at 7:36 p.m.

Thieda Wellman, City Recorder